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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,649	06/24/2003	Lawrence L. Bell		1296
7590		11/15/2007	EXAMINER	
Lawrence L. Bell		WEIS, SAMUEL		
18 Farmington Court		ART UNIT		
Chevy Chase, MD 20815		PAPER NUMBER		
		3693		
		MAIL DATE		
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		11/15/2007		
		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/601,649	BELL, LAWRENCE L.	
	Examiner	Art Unit	
	Samuel S. Weis	3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to the Applicant's application filed June 24, 2003. Claims 1-10 have been examined.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 4, 5, and 6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 4 and 5 refer to said model factors from claim 1. Claim 1 contains no "model factors."

Claim 6 ends with "; and". Appropriate correction is requested.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Davis, U.S. Pat. App. Pub. No. 20010049612.

As to claim 1, Davis discloses A method for identifying and administering a deferred award instrument plan through a computer system in order to reduce individual income and estate taxes, said method comprising the steps of:

identifying at least one employee for an employer in said deferred award plan (abstract);

retrieving financial data related to a deferred compensation plan and to an employee welfare benefit plan corresponding to said identified employee (¶0019);

computing a spread or gain associated with said deferred compensation plan (¶0019);

establishing an asset for FASB or IASB purposes with said spread or gain (¶0009);

purchasing an individual or group life insurance benefit, said asset combining features of said deferred compensation plan LTIP and said employee welfare benefit plan (¶0031-33);

enabling under control of said employer said employer to purchase investments through said purchased life insurance policy (¶0009)

creating an asset on the books of the company (claim 14); and

allowing said employee or employer to borrow funds accumulated in said life insurance policy up to a limit set forth in an endorsement, said limit reflecting a level of compensation according to said deferred compensation plan (¶0051).

As to claim 2, Davis discloses converting said human resource data to a deferred award instrument plan format (¶0024).

As to claim 3, Davis discloses converting said deferred compensation or asset accumulation data to a deferred award instrument plan format (§0024)

As to claim 6, Davis discloses a system for implementing a deferred award instrument plan (abstract) comprising: a processor; memory operationally attached to said processor; an input device operationally attached to said processor; a display device operationally attached to said processor (§0019);
an identifier for identifying at least one employee for an employer in said deferred award plan (abstract);
a retrieving unit for retrieving financial data related to a deferred compensation plan and employee welfare benefit plan (§0019);
a processor for computing a spread or gain associated with at least one of said deferred compensation and said employee welfare benefit plans (§009);
asset establishment unit for establishing an asset on the company books with said spread or gain (claim 14);
purchasing unit for purchasing an individual or group life insurance benefit;
a trading unit for enabling under control of said employer or employee said employer or employer to purchase stock or other investments through said purchased life insurance benefit (§0051);
executing unit for executing a co-ownership endorsement (§0051);
a loan unit allowing said employer or employee to borrow funds accumulated in said life insurance policy up to a limit set forth in said co-ownership endorsement said limit reflecting said employee's deferred compensation or asset accumulation (§0051).

As to claim 7, Davis discloses a converter for converting said deferred compensation data to a deferred award instrument plan format (§0024).

As to claim 8, Davis discloses a second converter for converting said human resource data to a deferred award instrument plan format (§0024).

As to claims 9 and 10, Davis discloses wherein said employee welfare benefit plan is an employee welfare benefit plan (§0005).

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 4 and 5 rejected under 35 U.S.C. 103(a) as being unpatentable over Davis in view of Examiner's Official Notice.

As to claims 4 and 5, Davis does not explicitly disclose inputting weighing indicators corresponding to said model factors and displaying at least a predetermined portion of said retrieved and stored data based on said weighing indicators.

However, the Examiner takes Official Notice that weighing indicators are old and well known in the financial arts. It would have been obvious at the time of the Applicant's invention to weigh various factors differently in order to model the data appropriately.

Conclusion

Application/Control Number:
10/601,649
Art Unit: 3691

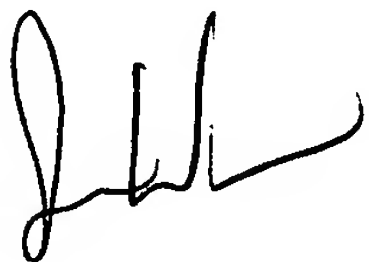
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samuel S. Weis whose telephone number is (571) 272-1882. The examiner can normally be reached on 8:30 to 5, Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Kramer can be reached on (571) 272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SSW



Stefanos Karmis